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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

PTO/SB/31 (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Docket Number (Optional)  
**2771-497 (7486)**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the  
Commissioner for Patents on the date specified, in an envelope addressed to  
the Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, VA  
22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

*Carolee White*  
Carolee White  
November 18, 2003  
Date  
EL 096167715 US  
Express Mail Label Number

In re Application of  
**STAUF, Gregory T., et al.**

Application Number  
**09/681,609**

Filed  
**May 8, 2001**

For **BARRIER STRUCTURES FOR ...**

Art Unit  
**2814**

Examiner  
**Thao, X. LE**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.  
Pending claims 1-39 rejected in 5/19/2003 Final Rejection. Claim 27 was indicated  
to be prospectably allowable if re-written in independent form. The fee for this Notice of Appeal is (37 CFR 1.17(b)) **\$ 330.00**  
A Response was filed on **11/18/2003** re-writing claim 27 in independent form.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

**25559**

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. **08-3284**. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number **28,021**

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

*[Signature]*  
Signature

**Steven J. Hultquist**  
Typed or printed name

**(919) 419-9350**  
Telephone number

**November 18, 2003**  
Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.**

☒ \*Total of **1** forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/21/2003 JADD01 00000111 09681609

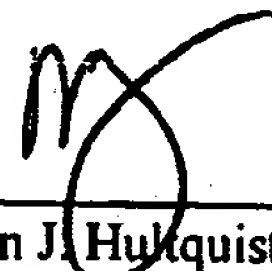
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330.00 OP

Deposit Account No. 08-3284 in such prior document (Response to the May 19, 2003 Office Action, fax filed in the USPTO on November 18, 2003).

Enclosed is a Credit Card Payment Form authorizing payment of the appeal fee specified under 37 CFR §1.17(b) in the amount of \$330.00.

Respectfully submitted,



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Steven J. Hultquist  
Reg. No. 28,021  
Attorney for Applicants

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